



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/755,320	01/05/2001	David Gorski	22311-04013

24024  
CALFEE HALTER & GISWOLD, LLP  
800 SUPERIOR AVENUE  
SUITE 1400  
CLEVELAND, OH 44114

## FORMALITIES LETTER



\*OC000000005708841\*

Date Mailed: 01/26/2001

## NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

## Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$10.
  - \$198 for 11 total claims over 20. 110
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Consent of assignee is missing. 37 CFR 1.172 requires that a reissue oath/declaration be accompanied by the written consent of all assignees.
- The balance due by applicant is \$ 140.

RECEIVED

JAN 31 2001

A copy of this notice MUST be returned with the reply C.J.L. I.P. DEPT.

D King  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/05/2001 CNGUYEN 00000030 09755320

01 FC:159

Adjustment date: 05/23/2001 140.00 OP  
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CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Asst. Commissioner of Patents, Washington, D.C. 20231, on this 26<sup>th</sup> day of March, 2001.

*Pat Simpson*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Gorski, et al. )  
Serial No.: 09/755,320 )  
Filed: January 5, 2001 )  
For: GROWTH ARREST HOMEBOX )  
GENE (AS AMENDED) )  
Attorney Docket No.: 22311-04013 )

Examiner: Not yet assigned  
Group: Not yet assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF REISSUE APPLICATION - Filing Date Granted**

Asst. Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Reissue Application dated January 26, 2001, applicants respectfully submit the following:

- (1) original signed Reissue Declaration Under 37 C.F.R. §1.175 executed by co-inventor David H. Gorski;
- (2) original signed Reissue Declaration Under 37 C.F.R. §1.175 executed by the inventor, Kenneth Walsh;
- (3) original signed Consent of Assignee, Offer to Surrender Original Patent, and Statement Under 37 C.F.R. §3.73(b);
- (4) check for \$140 for fees due; and
- (5) copy of Notice to File Missing Parts of Reissue Application.

09755320 02E55260  
"0509TQ"

Respectfully submitted,

Pamela A. Docherty  
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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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Application Number:

Attachment to Paper No.:

REISSUE SUPPLEMENT  
NOTICE TO FILE MISSING PARTS OF APPLICATION

This Reissue Supplement is an attachment to:

- ☒ "Notice to File Missing Parts of Application" Filing Date Granted  
☐ "Notice of Incomplete Application" No filing Date Granted

The item(s) indicated below as missing must be filed within the period for reply set on the attached form to avoid abandonment.

Correction of the following is required to complete the reissue application:

- ☐ 1. The reissue specification has not been provided in double-column format as is required by 37 CFR 1.173(a)(1).
- ☒ 2. Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees.
- ☐ 3. Consent of the assignee is present, but is **unsigned**. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided.
- ☒ 4. Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP Sec. 324.
- ☐ 5. Assignee's statement under 37 CFR 3.73(b) is present, but is **unsigned**. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided.

DKing  
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Initial Patent Examination Division (703) 308-1202